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St. Timothy's Anglican Church

Safe Church Policies & Procedures: Protection of Adults

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I. INTRODUCTION

A. Pastoral Letter from the Rector to our Parish Family at St. Timothy's

The Holy Scriptures speak of the Church as the Body of Christ and His bride. God calls His Church and all Her members to a life of holiness, service, and love of neighbor. Our Lord and Savior, Jesus Christ, calls us to be ministers of His gospel for a broken world. We are guided and empowered by the Holy Spirit to participate in God's redemption of the whole of creation. As a community of faith, the Church stands for truth, justice, mercy, compassion, reconciliation, service, and sacrifice. The Church serves as a field hospital, where the broken may enter and encounter the love, grace, peace, and healing power of Christ's redemption. This is central to our vocation.

To this end, St. Timothy's Anglican Church must be a safe place. Our responsibility to shepherd the physical, emotional, and spiritual health of each person is essential. In our broken world, the vulnerable are often exploited. Statistics demonstrate that approximately one in four girls and one in six boys suffer abuse in their lifetime. This means that it is highly likely that our congregations are made up of men and women who have either experienced abuse or know a survivor/victim of abuse. Unfortunately, this is true for every denomination. To be light in a dark world, the Church must be different. The Church must take action in order to equip leaders to safeguard those in its care.

Therefore, St. Timothy's Anglican Church affirms the following:

Humanity is PART OF creation, yet UNIQUE

- God's CREATION is a good gift
- IMAGE OF GOD: Every human being is created in the image of God and has inherent worth and dignity.

Humanity is uniquely CALLED to stewardship/care in love

- STEWARD: The Church is called to steward God's creation and His bride, the Church.
- RESPECT: This understanding of sexuality calls for equal respect for all men, women, and children as persons made in God's image, and for everyone's right to sexual and physical integrity.

Humanity is embodied and communal and has received the good gift of sex to be enjoyed within covenant

- SEX IS A GIFT: Sexuality is good, blessed, and purposeful; sexuality is understood to be a gift that is celebrated by sexual union within the bond of love found within the covenant of a man and a woman in marriage.

Humanity is Broken

- VULNERABLE: Children, adolescents, the infirmed, and elderly are particularly vulnerable to the tragic consequences of broken covenants and abusive treatment, and special care must be taken to protect their individual rights and personal integrity.

Church is About the Restoration of Humanity

- JUSTICE: All types of abuse (verbal, physical, neglect, and sexual misconduct) will be taken seriously by St. Timothy's, and when required by law, will be reported to the appropriate local, state, and/or federal agency.
- PROTECTION: The protection of the vulnerable shall be of utmost concern.
- RESPONSIBILITY: The Church has always recognized that those chosen for ordained ministry bear a particular responsibility to pattern their lives according to Jesus' teaching. Bishops, priests, deacons, and lay leaders are called to be faithful examples of the Christian life. Any moral offense by clergy or laity entrusted with pastoral and educational ministries is especially hurtful because it betrays the trust committed to each by the Church to nurture and care for every member.

This manual outlines the policies required in our effort to prevent sexual misconduct and harassment by members of the clergy, lay employees, and those working in ministry with youth and children. This manual also prescribes the procedures required in response to an event of sexual misconduct or harassment and articulates the policies that aim to protect potential survivors/victims. It is necessary reading for all parish leaders, including, but not limited to, all affiliated clergy, vestry members, all parish employees, and all lead volunteers/teachers for children/youth. The manual is also recommended for comprehensive understanding of the issues involved with sexual misconduct and harassment and the ramifications of engagement therein.

As the Body of Christ, we are called to be children of light, uncovering what is done in the darkness, and to protect and care for the vulnerable in our midst. I am grateful for your ministry and commitment to this policy below.

The Rev. Stan Gerber

B. Purpose of St. Timothy's Anglican's Safe Church Policies & Procedures Manual

This manual provides guidance, information, instruction, and common practices to direct and inform the clergy and laity of St. Timothy's Anglican Church (Parish). It also serves as a reference manual to inform your decisions and methods regarding safeguarding the children, youth, adults, and families, entrusted to you, providing minimum standards of care and vigilance.

C. Safe Church Diocesan Committee

The Bishop, in consultation with the Diocesan Council, will establish a Safe Church Diocesan Committee that is responsible for disseminating the Diocese of the Western Gulf Coast's (DWGC) Safe Church Policies and Procedures under the authority and oversight of the Diocesan Council and the Bishop in accordance with the canons of the Diocese. From time to time, but not less than annually, the Committee will review and, if necessary, revise the policies and procedures considering practical experiences, medical and other scholarly research, legal developments, and other relevant considerations.

D. Responsibility for Implementation and Compliance

The Rector/Senior Pastor of the Parish, rather than the DWGC or the Province, has overall responsibility for the administration of and compliance with these policies and procedures within the Parish, mission, or church plant he leads and for providing all reports requested by the Diocese. In the absence of a Rector/Senior Pastor, the clergy-in-charge or designated lay leader(s) will be responsible. Duties may be delegated, except in those areas specifically delineating action by the Rector/Senior Pastor. However, these endeavors go far beyond matters of compliance and reporting. We pray that the information and policies in this manual will be shared and implemented in such a manner that creates or strengthens a culture of safety in each of our Parishes that makes protecting our children and youth and the vulnerable among us part of our DNA.

II. PROTECTION OF ADULTS FROM SEXUAL MISCONDUCT POLICY

A. St. Timothy's Anglican Church's Policy on Protection of Adults from Sexual Misconduct

St. Timothy's Anglican Church (the Parish) will not tolerate any form of abuse or harassment involving clergy, lay employees, volunteers, or other persons. Everyone who serves the Church through pastoral, educational, social, or other activities is expected to maintain the highest biblical standards in relationships with those to whom they minister, avoiding any form of misconduct. That commitment extends to sexual and physical behavior. As the Body of Christ, we are called to walk in the light, uncovering that which is done in the darkness, and to protect the vulnerable.

"This is the message we have heard from him and proclaim to you, that God is light, and in him is no darkness at all. If we say we have fellowship with him while we walk in darkness, we lie and do not practice the truth. But if we walk in the light, as he is in the light, we have fellowship with one another, and the blood of Jesus his Son cleanses us from all sin."
I John 1:5-7

B. Pastoral Care Following an Instance of Abuse

The Parish's response to instances of abuse should be survivor-sensitive, i.e., priority should be given to protecting and caring for the alleged survivor/victim and his/her family. However, we are committed to providing pastoral care to all affected by and involved with instances of abuse. Pastoral care grows out of Christ-centered relationships and proceeds with an awareness of the spiritual and emotional needs of both the individual and the community. It may include providing guidance, support, consolation, and even confrontation to minister to each individual as we believe God desires.

Fr. Stan Gerber (the Rector), and any clergy involved, should refrain from placing conversations regarding allegations of abuse and or sexual misconduct within a sacramental framework (e.g., confession) and are well-advised to show concern for privacy of all individuals concerned.

C. Protection of Adults from Sexual Misconduct-Four Step Approach¹

The Parish, is to include the following components in its Sexual Misconduct/Protection of Adults Policy.

- 1) Awareness
- 2) Training
- 3) Interacting
- 4) Responding & Reporting

¹ Screening, as specified in the Child Protection Policy, will also help protect adults from sexual misconduct

1. AWARENESS

It is important to understand certain terms to build an environment that protects adults from abuse.

Adult abuse: actions that involve unwanted physical, sexual, psychological, or other actions that are intentionally taken to disadvantage another.

Sexual misconduct: In particular, adult abuse includes a variety of forms of sexual misconduct. Sexual misconduct includes a range of unwelcome and unwanted sexual conduct, including grooming; verbal, emotional, and/or physical sexual harassment; sexual assault; and all forms of sexual violence. Sexual misconduct is not restricted to intercourse but includes a wide range of inappropriate behaviors including inappropriate emotional intimacy, as well as the following:

Sexual Malfeasance is defined by the broken trust resulting from sexual activities within a professional ministerial relationship that results in misuse of office or position arising from the professional ministerial relationship. This can include emotional misconduct where inappropriate emotional intimacy is encouraged, coerced, forced, or implied as necessary.

Grooming is a technique used to break down barriers of protection. Abusers will use grooming techniques to gain trust. Recognize the pattern of continual testing of boundaries in such a way that inappropriate behavior seeps into the relationship without consent or even acknowledgement. Grooming usually includes gaining access through trust, targeting a particular type of person as a survivor/victim, slowly eroding boundaries, and methods to keep the survivor/victim quiet.

Sexual harassment (unwelcome sexual advances, requests for sexual favors, hostile work environment, quid pro quo behavior, sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature) in a situation where there is an employment, mentoring, or colleague relationship between the persons involved, regardless of gender, including but not limited to, sexually oriented humor or language, questions or comments about sexual behavior or preference unrelated to employment qualifications, undesired physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements. This might include:

- Unwelcome and intentional touching.
- Sexually oriented comments about an individual's body.
- Sending sexually explicit or offensive communications (e.g., text messages, emails, social media messages or posts).
- Voyeurism, including viewing or displaying objects or pictures that are sexual in nature.
- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or their continued status in an institution.
- Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting such an individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance.

2. TRAINING*

**Note – this training is in addition to the required training for the protection against sexual misconduct with children.*

- a. **Clergy:** All members of the clergy domiciled, licensed, or serving in the Diocese, must complete diocesan-approved training on issues of sexual harassment, mentoring and colleague relationships, and sexual exploitation in pastoral relationship within 30 days of employment (or volunteering) in the Diocese. This training is currently completed through Keeping Our Sacred Trust and will be completed online (<https://www.keepingoursacredtrust.org>). Clergy are responsible to submit to the diocesan office the evidence of completion and recertification every two years.
- b. **Clergy, Staff, Church Leadership, Long-Term Contractors & Volunteers:** Every year all members of the clergy, all members of the vestry or equivalent, and those staff members, long-term contractors and volunteers must certify that they have:
 - i) read, understood, and accepted the Diocese's Policies on the Safe Church Policies & Procedures: Protection of Children & Adults
 - ii) completed Diocesan approved training on Sexual Harassment Prevention and on the policy itself.²

The Parish is responsible to track and document the training/retraining of its vestry or equivalent, staff, and volunteers (see Appendix Section F.2.).

3. INTERACTING

All clergy, employees, and volunteers are encouraged to maintain healthy boundaries and to strive for emotionally healthy relationships. The Parish's leadership is asked to consistently bring awareness to this issue by normalizing the following principles:

- **Choose the Light:** whether it is porn addiction, gossip, an affair, bullying, sexual jokes or comments, flirting, etc., bringing the issue into the light is always the path toward healing, accountability, sanctification, and emotional health.
- **Transparency:** it is a difficult thing to clearly state what you think/feel/see happening, but it is a sign of emotional health. No one can improve or eradicate the inappropriate behavior without understanding the issue. Avoid triangulation and protection for individuals who are acting inappropriately.

² Although an increasing number of States have mandated sexual harassment prevention training in the workplace, neither Texas nor Louisiana have done so yet. However, the EEOC has identified the following core principles that have generally proven effective in preventing and addressing harassment: 1) Committed and engaged leadership; 2) Consistent and demonstrated accountability; 3) Strong and comprehensive harassment policies; 4) Trusted and accessible complaint procedures; and 5) Regular interactive training tailored to the audience and organization. <https://www.eeoc.gov/laws/guidance/promising-practices-preventing-harassment>. Moreover, beginning September 1, 2021, Texas employers of any size may be sued for sexual harassment in the workplace. Under the previous law, the Texas Labor Code limited liability for sexual harassment claims to employers with at least 15 employees. Texas Labor Code 21.141

- **See Something, Say Something:** if something is a concern to you bring it to the appropriate leadership detailed within this document (for clergy that is the Bishop; for laity, that is the clergy at the Parish; for the Bishop, that is the Diocesan Chancellor); including multiple leaders in the discussion will ensure accountability, transparency, and appropriate resolution. The Diocese also provides a hotline for confidential reporting (832-422-8199).

a. Pastoral Counseling

One of the expectations of all clergy and other pastoral caregivers serving in the Parish is that they offer pastoral counseling to members of the congregation if/when necessary and appropriate. Pastoral counseling occurs when Parish personnel offer advice concerning moral or spiritual matters. This counseling is recommended to be offered for a maximum of six (6) sessions per person. Fees or donations for pastoral counseling are prohibited. If there is a need for ongoing counseling, parish personnel must refer to a professional if the Parish personnel are not certified or licensed.

The Rector and any clergy involved should refrain from placing conversations regarding allegations of abuse and or sexual misconduct within a sacramental framework (e.g., confession) and are well-advised to show concern for privacy of all individuals concerned.

Any person charging fees for counseling outside the scope of Parish employment must possess appropriate professional credentials and proof of separate professional liability insurance including coverage for sexual misconduct, in force at all times. Persons offering spiritual direction or professional counseling to members of the congregation or outside the congregation that includes additional compensation shall submit that ministry for approval by the Bishop.

During these pastoral counseling sessions, clergy and pastoral caregivers are expected to maintain an environment that minimizes any existence, or appearance, of potentially inappropriate behavior or exploitation.

Exploitation occurs when Parish personnel take advantage of the pastoral counseling relationship for the benefit of the pastoral counselor. Sexual exploitation is sexual contact between Parish personnel and the recipient of the pastoral counseling services, regardless of who initiates the contact. A conflict of interest occurs when Parish personnel take advantage of pastoral counseling relationships to further their own interest.

Staff members, clergy, and volunteers should strive to keep verbal interactions encouraging, constructive, and mindful of their mission, avoiding sexually oriented communication. If available, same gender counseling is recommended to minimize these risks.

If physical contact is warranted for professional, clinical reasons, it should always be respectful and consistent with the intent to provide a safe and comfortable pastoral counseling environment. Pastoral counseling should be conducted in appropriate settings at appropriate times and should not be held at places or times that would cause confusion about the nature of the relationship for the person being counseled.

Additionally, all clergy and staff should maintain a physical environment that always minimizes any appearance of potentially inappropriate behavior including traveling or events held at the

Parish after business hours. It is wise to remain in public view when possible. It is recommended for this reason that the doors to rooms used for pastoral care contain windows. It is generally not recommended that employees share a hotel room when traveling. No pastoral counseling should be conducted in clergy's private living quarters.

b. Spiritual Direction

As Christians, we are encouraged to seek discipleship opportunities. This frequently manifests in 1:1, 1:2, or 1:3 relationships where participants meet regularly for a long-term partnership. This is not the same situation as pastoral counseling, which is intended for a singular focus and therefore is limited in scope. Pastoral counseling typically covers singular issues or questions, conflict management, confession, crisis counseling, pre-marital counseling, and marriage counseling. If those crises seem to linger beyond six sessions, refer congregant(s) to a professional, as described above.

If a partnership of spiritual direction is entered into long-term, consider these safeguards:

- Ensure this relationship is brought into the light among the leadership team of the Parish by informing multiple people of this partnership.
- If there are multiple people offering long-term spiritual direction in the Parish, consider meeting every quarter to discuss the process and its benefits to the Parish, as well as accountability.
- If one clergy person is offering long-term spiritual direction to another clergy person, bring the arrangement into the light by informing the office of the Bishop of the relationship.
- Meet in a public place, not in one another's private living quarters.
- It is recommended that it be conducted by same gender participants.
- Follow guidelines regarding interaction and physical contact.
- Define the parameters of the relationship at the first meeting, articulating how one might discontinue the relationship without further explanation at any time.
- Communicate to whom the participant should report if they have any concerns (including the names and numbers of senior leadership, the bishop, or the DWGC hotline).
- Include prayer and the study of Scripture in your regular time together.
- To protect the emotionally healthy spirituality of all clergy, it is recommended that clergy also seek regular spiritual direction to ensure accountability and a strong support system. Clergy are encouraged to explore the soul care offerings of Call2Disciple. www.call2disciple.com.

4. RESPONDING & REPORTING

a. Responding & Reporting Overview

It is essential that the Parish respond to a report or instance of abuse in a manner that promotes healing for the survivor/victim, the person accused of abuse, and the loved ones of both parties, as well as healing in the local Parish and community. Offer whatever pastoral care and other help is appropriate and available to the survivor/victim and his/her family. (See Appendix Section H).

The Parish is expected to have in place an appropriate Response Plan (even if only a very brief one or check list) to use when responding to any allegation of sexual misconduct. (See Appendix Section G for St. Timothy's Anglican Church Response Plan.)

Among other things, the Parish should be familiar with its state's laws and reporting requirements regarding abuse and neglect of the elderly and disabled adults. Laws can change over time, however, and it is the responsibility of the Parish to make certain that it has identified and understands the elder and disabled person abuse reporting laws that currently apply to it at any specific time. In short, anyone who knows of, or has reasonable cause to suspect, that an elderly or disabled adult has been abused, neglected, or exploited should immediately contact the appropriate state abuse hotline which are noted below in section 4 b.

As part of any Response Plan, the Parish should have in place appropriate procedures for internal reporting to appropriate Parish leaders of any suspected mistreatment of or injury to a child and any suspicious or unusual information about a child. Other important components of a Response Plan include interacting with and providing pastoral care to the survivor/victim and her/his family, interacting with the accused, deciding whether to retain legal counsel, deciding whether to investigate and notifying the Parish's insurance company.

The Diocese provides a hotline for confidential reporting, (832-422-8199). This phone number is published on both the Diocesan and St. Timothy's Anglican Church's websites.

b. Reporting to Legal Authorities

In Texas anyone who has a reasonable cause to believe a person 65 years or older, or an adult with disabilities is being abused, neglected, or exploited must report it to Adult Protective Services, which can be reached by calling (800) 252-5400.

c. Reporting to Church Authorities

The Parish should have in place appropriate internal procedures and mechanisms for reporting to appropriate Parish leaders of any sexual misconduct. Such internal reporting allows Parish leaders to determine whether a legal reporting obligation has been triggered, whether further information is needed, and/or whether pastoral or other care for the survivors/victims and others should be offered. At times, when the Parish leader receiving such reports puts together the separate pieces of information provided by different workers, the leader may discern a pattern or recognize information that triggers further investigation.

- i) **Reporting to the Rector/Senior Pastor & Notification of the Bishop.** The individual(s) suspecting sexual misconduct should immediately notify the Rector/Senior Pastor and senior warden (or another person designated by the Rector/Senior Pastor or otherwise identified in the Parish's reporting procedures as authorized to receive such reports) of the suspected misconduct. The Rector/Senior Pastor, in turn, should immediately notify the Bishop, who should notify the Diocesan Chancellor.
- ii) **Reporting to the Bishop or Call the Hotline.** The Parish should also identify in its response plan and other policies other persons who may receive such a report if the Rector/Senior Pastor or senior warden or other designated lay leader(s) is the person who is the subject of the allegations or is otherwise suspected of having committed abuse or neglect. In the case of clergy misconduct complaints, the Bishop should be contacted

immediately or the Diocesan hotline (832-422-8199) should be called. Any person believing that the Bishop has engaged in any sexual misconduct should immediately contact the Chancellor or call the Diocesan hotline.

d. Other Important Actions / Considerations

- i) **Pastoral Care & Healing.** The Parish's response should be survivor-sensitive, i.e., priority should be given to protecting and caring for the alleged survivor/victim and his/her family. However, it is essential that the Parish respond in a manner that promotes healing for the survivor/victim, the person accused of abuse and the loved ones of both parties, as well as healing in the Parish and community.
- ii) **Contact With the Survivor/Victim.** The Rector/Senior Pastor or his designee should contact the survivor/victim to ensure she/he, and her/his family, receives immediate and long-term pastoral care and is offered professional counseling from a counselor with whom she/he is comfortable and who is experienced in trauma-informed care. Also, consider assigning a member of Parish leadership as a liaison, who will be intentional about staying in regular contact with the survivor/victim and family and walking with them through what will be a very challenging season. If possible, select someone who has a relationship with the family and ensure the liaison understands his /her role and limitations. As an example, the liaison should not provide counseling to the survivor/victim or family but could help connect them with an appropriate counselor.³
- iii) **Contact With and Suspension of the Accused.** The Rector/Senior Pastor, or his designee, should advise the accused of the allegations, the process that will be followed and his/her right to be represented by legal counsel. In addition, the Rector/Senior Pastor should ensure the accused receives pastoral care. Such care should be provided by individuals other than those pastoring or counseling the survivor/victim. The accused should be suspended (with pay if a paid employee) while a confidential investigation is being conducted. This can be done quietly and should be done quickly and without exception. The Parish leadership will determine whether the accused will continue in ministry. If the accused is a member of the clergy, such decision by Parish leadership must be done in consultation with the Bishop and in conformity to the Constitution and Canons of the Diocese of the Western Gulf Coast.
- iv) **Notification of Insurance Providers.** Unless the Parish's legal counsel advises otherwise, the Parish should promptly notify its liability insurance company. This is important for at least four reasons:
 - (1) the insurance policy may require immediate notification for coverage to be effective.
 - (2) the policy may pay for counseling or legal advice.
 - (3) the policy may not provide coverage for lawsuits involving acts of sexual abuse.
 - (4) the insurance carrier, having dealt with similar cases, may be a source of helpful advice.Unfortunately, most insurance policies do not generally cover sexual misconduct or negligent hiring/supervision in sexual abuse situations. Separate "riders" can be purchased, although some require strict preconditions to coverage like screening, awareness, and prevention training.
- v) **Consideration of Retaining Legal Counsel.** The Rector/Senior Pastor, in consultation with the Bishop and the Chancellor, will determine if legal counsel should be retained.

³ "Responding with Excellence to an Allegation of Sexual Abuse within the Church" by Basyle Tchividjian, Currents in Theology and Mission, Vol.45 No.3

Obtaining competent legal advice at the very outset of the matter may help protect the Parish's interests and be a helpful resource regarding any reporting or other legal requirements. In addition, if the investigation is conducted by legal counsel, the information gathered and conveyed to the attorney may be privileged from disclosure as confidential attorney/client communication.

- vi) **Designation of a Spokesperson.** Identify a single spokesperson (someone who can communicate clearly and succinctly and with empathy and care) to respond to media inquiries.
- vii) **Communication with the Congregation.** The Congregation should not first hear about an instance of abuse in your Parish from a news report or through the rumor mill. Consequently, it is important to have early and transparent communication of essential and non-confidential facts with the congregation. The communication should be succinct, factual, non-speculative and survivor-sensitive and, among other things, send a clear message that the survivors/victims are being cared for and that the Parish is a safe place.
- viii) **Investigation.** The Bishop, in consultation with the Diocesan Chancellor, will decide whether or not an investigation will be conducted and by whom. The Bishop shall not participate in the investigation, which should be impartial and bias-free. The person(s) appointed to investigate the matter should not be employed by or a member of the Parish at which the alleged misconduct occurred or have any type of relationship with the accused, the survivor/victim or the survivor/victim's family. Any investigation should not interfere with or impede, in any way, any investigation conducted by state or local law enforcement. Typically, there are three options for who should investigate: trained /skilled individuals from within the Diocese; an independent group that is not a law firm; or an independent lawyer or law firm.
- ix) **Bring Closure to the Investigation.** If the allegation is substantiated, then discipline or dismissal is generally appropriate. Counseling may also be appropriate. If charges are unsubstantiated, the decision about whether to restore the accused to full employment or volunteer service may depend on a number of circumstantial factors. Consult the Bishop and legal counsel for guidance. Of course, all personnel actions should be well documented in writing and kept in confidential files. Attorney-client privileged material should never be disclosed without first consulting your attorney.